

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NORTH DAKOTA  
SOUTHWESTERN DIVISION**

Richard Smith, Teresa Smith, and Richard )  
and Teresa Smith on behalf of their minor )  
son, Paul Smith, )

Plaintiff, )

vs. )

Kevin Frank, )

Defendant. )

**ORDER AMENDING SCHEDULING/  
DISCOVERY PLAN**

Case No. 1:05-cv-102

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On April 6, 2006, the parties filed a Stipulation for Amendment of Scheduling/Discovery Plan. The court adopts the parties' stipulation (Docket No. 13) and **ORDERS** that the Scheduling/Discovery Plan be amended as follows:

3. The parties shall have until September 1, 2006, to complete fact discovery and to file discovery motions.
4. Plaintiff shall have until September 1, 2006, and defendant shall have until September 14, 2006, to identify the subject matter/discipline of expert witnesses to be used at trial.
5. The parties shall have until October 1, 2006, to provide the names of expert witnesses and complete expert reports under Rule 26(a)(2). The parties shall have until December 1, 2006, to complete discovery depositions of expert witnesses.

Dated this 11<sup>th</sup> day of April, 2006.

/s/ Charles S. Miller, Jr.  
Charles S. Miller, Jr.  
United States Magistrate Judge